



Town of Cheswold
Minutes of the Monthly Town Council Meeting
691 Main Street
Cheswold, Delaware 19936
Monday – January 10, 2022
5:00 p.m.

ZOOM Teleconference
1-929-205-6099 Meeting ID: 9728359352#
<https://us02web.zoom.us/j/9728359252>

The following persons were in attendance in person:

Mayor Santo Faronea via ZOOM
Vice Mayor Michael Wysong
Secretary/Treasurer Theon Callender
Councilperson Maxwell Amoako

Absent: Councilperson Mark Moxley
Councilperson Judith Johnson

Police Department: Chief Chris Workman

Administration: Shadina Jones, Town Clerk

Administrative Clerk: Camryn Tunnell

Public Works: Code Enforcement Office Mike Callender

NOTICE:

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 15, 2021, on the Town of Cheswold website at: <http://cheswold.delaware.gov>. Copies of the agenda were posted outside the Cheswold Town Hall; in the local Post Office; at the Fox Pointe Management Office and on the Official Web Site for the Town of Cheswold, at <http://cheswold.delaware.gov>; and was filed with the Clerk of the Town of Cheswold on December 27, 2021. Copies of the agenda were available for pick-up at the Town Hall.

MEETING:

The meeting was called to order by Mayor Faronea at 5:30 pm.

PLEDGE of ALLEGIANCE and MOMENT of SILENCE

The Pledge of Allegiance and Moment of Silence was conducted during the Public Hearing, previous to this meeting.

PROPERLY POSTED:

Secretary/Treasurer Sam Callender noted that the meeting posted was properly posted on December 27, 2021.

ROLL CALL:

Mayor Faronea requested the Secretary/Treasurer to call the roll. And with four, (4), members of the six (6) person Council present, Ms. Tunnell presented a quorum to the Mayor and the meeting continued.

REVIEW of AGENDA

Mayor Faronea requested the Council review the accuracy of the agenda and for a motion to accept as presented or to make changes and amendment requests as needed.

Councilperson Amoako made a motion to accept the agenda as presented and Vice Mayor Wysong made a second to the motion. A unanimous roll call vote of the Town Council approved the motion.

REVIEW of PEVIOUS MONTHS MINUTES

Mayor Faronea requested the Council to review the accuracy of the previous month's minutes and for a motion to accept them as presented or to make changes and amendment requests as needed.

A motion to accept the Town Council minutes, as presented was made by Councilperson Amoako and Vice Mayor Wysong made a second to approve the motion. A roll call vote on the motion resulted in a unanimous vote to approve the minutes as follows:

December 6, 2021 – Monthly Town Council Meeting

TREASURER'S REPORT:

The Mayor requested Council to review the following Treasury Reports and to make any necessary statements and/or to make a motion to approve reports:

- a. The Treasurer's Reports for the **Month of December 2021**, is as follows:

Monthly Cash Flow Comparisons

TOWN of CHESWOLD	DECEMBER 2021
Cash Receipts	\$ 103,916.09
Cash Disbursements	\$ 96,345.51
Positive Monthly Cash Flow	\$ 7,570.58

TREASURER'S REPORT: "continued"

ADMINISTRATION	DECEMBER 2021
Cash Receipts	\$ 87,640.32
Cash Disbursements	\$ 72,402.04
Positive Monthly Cash Flow	\$ 15,235.28

POLICE DEPARTMENT	DECEMBER 2021
Cash Receipts	\$ 3,882.32
Cash Disbursements	\$ 23,588.47
Negative Monthly Cash Flow	(\$ 19,706.15)

PUBLIC WORKS	DECEMBER 2021
Cash Receipts	\$ 12,393.45
Cash Disbursements	\$ 355.00
Positive Monthly Cash Flow	\$ 12,038.45

b. The Treasurer's Report, (Account Balances), for the Month of DECEMBER 2021:

	as of:	DECEMBER 2021
Capital Account	\$	29,985.71
Cheswold Heritage Day Account	\$	4,426.18
Eide Grant Fund Account	\$	4,390.86
Public Safety Account	\$	54,311.40
General Fund Account	\$	192,638.16
Land Use Applicant's Account	\$	63,896.18
Litigation Account	\$	24,232.36
Municipal Street Aid Account	\$	61,039.39
Salle Grant Fund Account	\$	290.91
DelDOT Projects	\$	107,644.00
ARPA	\$	349,915.75
Municipal Complex Building	\$	750,000.00

c. Requisitions –

<u>Req. #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
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NOTHING TO REPORT

b. Proposed Purchase/s -

<u>Req. #</u>	<u>Dept.</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By:</u>
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NOTHING TO REPORT

Monthly Town Council Meeting
Meeting Notice Posted: *December 15, 2021*

JANUARY 10, 2022
Agenda Posted: December 27, 2021

TREASURER’S REPORT: *“continued”*

A motion to accept the Treasurer’s Report, as presented was made by Vice Mayor Wysong and Councilperson Amoako made a second to approve the motion. A roll call vote on the motion resulted in a unanimous vote to approve the report as submitted.

TAX COLLECTOR’S REPORT – *Town Clerk Shadina Jones*
Month of December 2021

TAX REPORT: FISCAL YEAR 2021 – 2022

Total Amount Billed: \$160,690.95

Total Amount Paid: \$33,601.18

As of:	Current Year:	Past Due Paid:
07/31/2021	\$ 33,601.18	\$ 867.88
08/31/2021	\$ 97,083.11	\$ 300.12
09/30/2021	\$ 23,534.44	\$ 1,171.23
10/31/2021	\$ 2,077.06	\$ 143.03
11/30/2021	\$ 442.81	\$ 75.71
12 /31/2021	\$ 472.96	\$ 21.97
01/31/2022	\$	\$
02/29/2022	\$	\$
03/31/2022	\$	\$
04/30/2022	\$	\$
05/31/2022	\$	\$
06/30/2022	\$	\$

b. DELINQUENT TAXES – *Town Clerk Shadina Jones*

NOTHING to REPORT

A motion to accept the Tax Report, as presented was made by Vice Mayor Wysong and Councilperson Amoako made a second to approve the motion. A roll call vote on the motion resulted in a unanimous vote to approve the report as submitted.

POLICE DEPARTMENT REPORT – Chief Christopher Workman:

Chief Workman presented the following November 2021 report prior to the meeting:

Training – All officers have completed their required training for the 2021 calendar year

State of Delaware Accreditation – The Department with the assistance of DHS are continuing to work on the accreditation process.

Recruit – The Cheswold recruit Police Department recruit officer is almost ½ way through his training at the Delaware Police Academy and is expected to graduate on March 17th, 2022.

Traffic Violations Charged – Officers issued 64 traffic summons’s during the month of December. These are the number of violations issued. {**Note:** One, (1), traffic stop could equal two, (2), or more violations; e.g.: Speeding; no driver’s license)

Actual Traffic Stops – December (58)

Graphs depicting traffic stops made in November and dispositions, were presented to the Council. The following reflects the data depicted on the graphs by ethnic and gender:

Male Traffic Stops

	<u>Dec.</u>
African American	14
Caucasian	15
Latino	3
Other/Undetermined	2

Female Traffic Stops

	<u>Dec.</u>
African American	11
Caucasian	12
Latino	1
Other/Undetermined	0

Dispositions

<u>Summons</u>	<u>Dec.</u>	<u>Verbal Warnings</u>	<u>Dec.</u>
African American	19	African American	3
Caucasian	19	Caucasian	5
Latino	4	Latino	0
Other/Undetermined	1	Other/Undetermined	0

POLICE DEPARTMENT REPORT – “continued”

<u>Written Warnings</u>	<u>Dec.</u>
African American	3
Caucasian	3
Latino	1
Other/Undetermined	0

In an effort to expand transparency it is added to the monthly report to show who our officer’s stop for violations and how they complete the stop.

Anyone interested in obtaining a copy of the associated graphs may send an email request to Cheswold.office@comcast.net or apply in person at Town Hall.

Monthly Activity Report –

Officers responded to or completed reports for 118 Incidents for the month of December.

IF YOU DON’T CALL – WHO WILL – CALL 911

PUBLIC WORKS REPORT – Code Enforcement Officer Michael Callender

The December Public Works Report was omitted due to the absence of the Code Enforcement Officer for medical reasons.

PLANNING COMMISSION REPORT - Land Use Administrator Sam Callender

- a. **Revision of Land Use Ordinance** – Currently on Hold
- b. **Planning Commission Appointments** – Ms. Callender requested the Mayor and Council to consider and vote on a new appointment to the Planning Commission and the retroactive appointment of current Commissioners, for a period of five, (5), years each, as follows:
 - David Naples – **New Appointment**, effective January 10, 2022
 - Colleen Ostafy – **Retroactive Appointment**, effective March 7, 2021
 - Carl Schultz – **Retroactive Appointment**, effective September 6, 2021
 - Reginald Valentine – **Retroactive Appointment**, effective September 6, 2021

11. Planning Commission Report – “continued”

- c. **Letter of Appreciation to Chairperson Barry Jones** – Ms. Callender also requested the Mayor and Council to consider a Letter of Appreciation for Mr. Barry Jones who has served the Town and Planning Commission as it’s Chair and has retired as of December 31, 2021.

Ms. Callender made a motion to approve the appointment of the new and retro-active Planning Commission members as well as the letter of appreciation to be placed on a plaque and presented to Mr. Jones. With no question or concerns about the motion, Vice-Mayor Wysong made a second to the motion and with a unanimous roll call vote.

- d. Planning Commission Memo Recommendations:

- i.

- PC Memo #: 2021-007**
 - Application #: 2021-10-02-105**
 - Application Type: Lot Line Adjustment**
 - Applicant: DelDOT on behalf of Mr. Peter, Thomas & George Diakos**
 - Map ID: 3-03-04611-01-0301-000**
 - Acres: 20.7**
 - Zoned: C-2 (Highway Commercial)**
 - Represented by: Ms. Michelle Glackin, DelDOT**

Ms. Callender explained that this application is associated with a request from DelDOT to sub-divide the property via a Lot Line Adjustment. Unfortunately, Mr. George Diakos had been informed by Ms. Callender of the need to process the sub-division prior to selling the property to DelDOT, but he failed to follow that instruction.

As a result, after the sale, DelDOT attempted to record their ownership of the property, but could not do so, because the Town of Cheswold had not approved or processed a sub-division Lot Line Adjustment Application.

Ms. Glackin, the DelDOT representative, as well as their Century Engineering representative were made aware of the need for an application and subsequently submitted Application 2021-10-02-105. During the process of reviewing the application, the Town Engineer made the Planning Commission aware of a set-back violation on the property side to be recorded as belonging to DelDOT. However, it is necessary for one the Diakos brothers to sign for a Variance application to remedy the set-back violation and a fee and an application to the Board of Adjustment must also be submitted. Ms. Glackin and her representative have been aware, via correspondence, of this situation and until the Variance is approved, it is recommended and agreed that the Council will not approve the sub-division Lot Line Application.

11. Planning Commission Report – “continued”

d. Planning Commission Memo Recommendations – “continued”

II.

PC Memo #: 2021-008

Application #: 2021-12-03-107

Application Type: Request to Revise Recorded Stonington Landscape Plan – L101

Received via E-Mail: November 5, 2021

Applicant: Ryan Homes

Represented by: Mr. Ring Lardner, P.E. – DB&F Engineering

Requests:

1. Not to plant the buffer by the railroad track until they develop that phase as it will be difficult to get back there and then maintain it.
2. To plant the landscaping along Lynbury Woods Road after the road improvements are complete. Otherwise, they, (owners & contractors), may need to rip out a bunch of it, when the road improvements are completed and then re-plant.
3. Plant the open space landscaping in the phases that have been paved.

Ryan Homes through their Engineering representative, Mr. Ring Lardner, P.E, of Davis, Bowen & Friedel Engineering made the requests specified above concerning a change to the landscaping agreement for the Stonington Development.

Both the Town Engineer and the Planning Commission recommended the Council approval the requests.

Vice Mayor Wysong made a motion to approve the requests as submitted and with no questions, concerns or objections, Councilperson Amoako made a second to the motion as presented. A roll call vote of the Council resulted in the approval of the motion.

III.

PC Memo #: 2021-006

Annexation Application #: 2021-10-18-106

Applicant: Liborio III, L.P.

Contact: Mr. Lou Ramunnol

Location: East Side-North Dupont Highway, Cheswold, DE 19936

Map ID: 4-00-03700-01-1300-000

Acreage: 54.26 (47.0 per Kent County Mapping)

Zoning: Requesting R-3 (Multi-Family/Town House Residential)

The Mayor and Council reviewed the Annexation Application as submitted by Mr. Lou Ramunnol, on behalf of Liborio III, L.P., and the recommendation of approval by the Town Engineer and Planning Commission.

11. Planning Commission Report – “continued”

d. Planning Commission Memo Recommendations – “continued”

PC Memo #: 2021-006 – “continued”

As a result of the review, Vice Mayor Wysong made a motion to approve the requests as submitted and with no questions, concerns or objections, Councilperson Amoako made a second to the motion as presented. A roll call vote of the Council resulted in the approval of the motion.

12. Ordinance for Review and Vote - *Town Administrator Sam Callender*

a. Ordinance 02-01-12-036 Ordinance for Parking Regulations
3rd Reading

Purpose: This Ordinance is intended to protect the public safety, health and welfare, on existing streets and all future streets, as hereinafter provided, by:

- A. Establishing parking standards for existing and future streets within the Town of Cheswold, and for safe thoughtful parking patterns along said streets;
- B. Fixing the parking responsibilities of owners, operators and occupants of all vehicles and;
- C. Providing for administration, enforcement and penalties and;
- D. Limiting commercial vehicle parking on Town of Cheswold streets.

Councilperson Callender made a motion to approve the revision of the Ordinance as submitted and with not questions or concerns, Vice Mayor Wysong made a second to the motion and a roll call vote resulted in the unanimous approval of the revision of Section 17 to the Ordinance.

13. Resolution for Approval – *Town Administrator Sam Callender*

NOTHING TO REPORT

14. Proclamations – *Town Administrator Sam Callender*

At the request of Councilperson Amoako, Ms. Callender presented a Town of Cheswold roclamation stating that September is National Suicide Prevention + Action Month.

A motion was made by Councilperson Amoako to approve the Proclamation as presented and Vice-Mayor Wysong made a second to the motion. The motion passed with an unanimous roll call vote.

15. Old Business

a. Town Projects:

- **Municipal Services Building** – *Town Administrator Sam Callender*
 - Current Architectural Status

Ms. Callender reported that property renderings are under development by the architect based on the building being approximately 7000 square feet and costing \$2.5 million.

It is hoped that drawings applicable for review by the Mayor and Council will be available for the next Council meeting.

- **Economic Development Plan/Cheswold Business & Merchants Association** –
Councilperson Maxwell Amoako

Councilperson Amoako informed the Mayor and Council that he continues to research.

- **Activities Committee** – *Councilperson Judith Johnson/Vice Mayor Santo Faronea*

The Mayor reported that all action is on hold until COVID retires.

- **Park Committee** – *Vice Mayor Michael Wysong*

Vice Mayor Wysong reported that project continues to be on hold.

- **Protest Plan Team** – *Chief Chris Workman*

Chief Workman reported that project continues to be on hold.

b. **American Rescue Plan** - *Town Administrator Sam Callender*

Ms. Callender reported that the attorney has advised that we cannot just donate ARPA funds to non-profits such as churches or tribes, but we may be able to provide grants and/or transfers. However, if we do so, we must be responsible for the reporting associated with the usage of the funds, and it will be an administrative cost to us that we cannot currently physically afford.

Funds can be used for the purchase of an HVAC system that will significantly reduce pollutants in our current building. Ms. Callender recommended that before investing in such a system that we ensure that the current building is structurally sound enough to warrant such an expenditure.

Funds cannot be used for childcare.

16. New Business - *Town Administrator Sam Callender*

NOTHING TO REPORT

17. Community Comments/Concerns –
NOTHING TO REPORT

18. Council Member Comments:

Vice-Mayor Wysong - *No Comments*

Secretary/Treasurer Callender – *expressed her thanks for the fruit basket she received during her illness.*

Councilperson Johnson – Absent

Councilperson Moxley – Absent

Councilperson Amoako - *No Comments*

19. Mayor Faronea's Comments – *stated that he was glad that almost everyone has returned from their illnesses.*

20. Motion to Adjourn

A motion to adjourn was made by Councilperson Callender. Vice-Mayor Wysong made a second to the motion and it passed with an unanimous roll call vote. The meeting adjourned at 5:56 pm.

29 Del C 10004 Sec. (e) (2)....."The agenda shall be subject to change to include additional items, including executive sessions or the deletion of items, including executive sessions which arise at the time of the public body's meeting".

The Agenda items as listed may not be considered in sequence and/or removed if warranted.